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Attorneys for State Defendants

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

MELODIE PINNER,

Plaintiff,

v.

COLETTE PETERS, HEIDI STEWART,
OREGON DEPARTMENT OF
CORRECTIONS, TONY KLINE, PAULA
MYERS,

Defendants.

Case No. 3:24-cv-01148-AN

DECLARATION OF KELLY BURRIS IN
SUPPORT OF STATE DEFENDANTS'
MOTION FOR EXTENSION OF TIME TO
FILE WAIVER OF SERVICE

I, Kelly Burris, declare:

1. I am an attorney licensed to practice law in the State of Oregon and an Assistant Attorney General with the Oregon Department of Justice.

2. The current deadline for filing the waiver of service in this matter is August 30, 2024. State Defendants request an extension of time, up to and including October 30, 2024, within which to obtain representation authority for the State Defendants and file the waiver of service.

3. ORS 180.060(8) prohibits the Attorney General from appearing on behalf of any officer, department, agency, board or commission without its consent in any action, suit, matter, cause, or proceeding in any court or before a state or federal regulatory board.

4. We are circulating the formal defense request for the named individuals but have not yet finalized that process. Accordingly, the State is not yet authorized to waive service.

5. For these reasons, State Defendants request an extension of time up to and including October 30, 2024.

6. I certify pursuant to LR 7-1(a)(1)(C), that plaintiff is a prisoner not represented by counsel and is presently in the custody of the Nevada Department of Corrections. Accordingly, conferral is not required.

7. This motion is made in good faith, in the interests of judicial economy, and not for purposes of undue delay.

I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED on August 28, 2024.

s/ Kelly Burris

KELLY BURRIS

Assistant Attorney General

CERTIFICATE OF SERVICE

I certify that on August 28, 2024, I served the foregoing DECLARATION OF KELLY BURRIS IN SUPPORT OF STATE DEFENDANTS' MOTION FOR EXTENSION OF TIME TO FILE WAIVER OF SERVICE upon the parties hereto by the method indicated below, and addressed to the following:

Melodie Pinner
SID 1277286
Florence McClure Women's Correctional Center
4370 Smiley Road
Las Vegas NV 89118
Plaintiff Pro Se

☐ HAND DELIVERY
☒ MAIL DELIVERY
☐ OVERNIGHT MAIL
☐ TELECOPY (FAX)
☐ E-MAIL
☐ E-SERVE

s/ Kelly Burris

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